

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 17th day of December, 2007 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor
Jay Attaway, Mayor Pro Tempore
Vickie Abrego, Council Member
Karen Mayer, Council Member
Frank Hametner, Council Member

ABSENT:

ADMINISTRATIVE
PERSONNEL PRESENT: Tom Ginter, City Manager
Allen Lawrence, City Attorney
Ada Owens, City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT: Darrel Jones, Police Chief
Bill Haines, Assistant Police Chief/Harbormaster
Frank Truitt, City Inspector

OTHERS PRESENT: Ralph & Lu Arcemont, Rosemary Vega/Chamber of Commerce, Ron Coble, Michael Dallas, May Ann Heimann, Irwin Walters, Vernon Bates, Josh & Katie Canal, Nell & Phil Reynolds, Cheryl & John Pollard, Don McTee, Jim & Alpha Covington, Bob Weber, Kody Farenthold, Eva Young, Bruce Reynolds, Tray Bates, Priscilla Solis/State Representative Juan Garcia Office, Jim Garner, Crystal Sanders, Asha Virlouvet

There may have been others present who did not sign in.

ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on December 17, 2007.

ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Council Member Abrego gave the invocation. Mayor Knight led the pledge of allegiance to the United States flag.

ITEM 3. CONSENT AGENDA: *“All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.”*

- A. Approval of Minutes of December 3, 2007.
- B. Consider and Act on Reappointment of Planning and Zoning Commission Board Members (Hope Comingore and Dennis Lugg).

Mayor Pro Tempore Attaway made the motion to approve the Consent Agenda. Council Member Hametner seconded the motion and the motion carried unanimously.

ITEM 4. PRESENTATION FROM DR. H. LANDPHAIR REGARDING THE CONN BROWN HARBOR CHARRETTE.

Dr. Harlow Landphair of Texas A&M University, College Station, presented his class’ semester work on the Conn Brown Harbor Charrette stating the City had not adopted a vision for the Harbor yet. He stated the students had used a guiding vision that the Harbor should be productive, distinctive, diverse, and an attraction. He stated the City should develop a vision statement and measurable long-range goals and objectives for the harbor development.

Dr. Landphair stated among the key points developed by the charrette were to maintain public access to the harbor, develop productive uses for the land, respect and nurture the heritage of Aransas Pass, create a positive community image, create strong connections between the Harbor and Central Business District, and protect and enhance the environment. He stated the preferred uses for the harbor were a marina,

hotel, commercial, improved industrial (specifically shrimping), and multi and single family residential. Dr. Landphair then presented several maps showing different combinations of uses for the land in the harbor.

ITEM 5. PUBLIC HEARING ON REQUEST OF JOHN AND CHERYL POLLARD FOR RENEWAL OF CONDITIONAL USE PERMIT FOR A TRANSMISSION SHOP LOCATED AT 752 N. COMMERCIAL, LOT 27-31, BLOCK 521.

City Attorney Allen Lawrence declared the Public Hearing open at 7:46p.m. on the request of John and Cheryl Pollard for renewal of their Conditional Use Permit for a transmission shop located at 752 N. Commercial. He stated the Planning and Zoning Commission had made certain recommendations to the Council and all proper notices had been given. The City Attorney asked John and Cheryl Pollard to come forward.

John and Cheryl Pollard stated they had a Conditional Use Permit for two years and were asking for a renewal. He stated he would like to work on vehicles outside and have a two-year permit as was granted previously. He stated he had invested a lot of money in the business and had met all requirements from the Planning and Zoning Commission.

The City Manager stated staff's recommendation was to renew the Conditional Use Permit for two years and allow Mr. Pollard to repair cars in front of the business, as that restriction had not been placed on any other auto repair shop in the City.

Council Member Hametner stated Mr. and Mrs. Pollard had vastly improved the property and the premises had been kept reasonably neat and clean. He stated he agreed with a two-year extension on the permit and continuing repairs in front of the business.

Mayor Pro Tempore Attaway stated he agreed with Council Member Hametner.

Mayor Knight stated he concurred with Mayor Pro Tempore Attaway and Council Member Hametner.

The City Attorney asked if there was anyone present to speak against the request. Seeing no one, the City Attorney closed the Public Hearing at 7:52 p.m.

ITEM 6. CONSIDER AND ACT ON REQUEST OF JOHN AND CHERYL POLLARD FOR RENEWAL OF CONDITIONAL USE PERMIT FOR A TRANSMISSION SHOP LOCATED AT 752 N. COMMERCIAL, LOT 27-31, BLOCK 521.

Mayor Pro Tempore Attaway made the motion to approve the request of John and Cheryl Pollard for renewal of Conditional Use Permit for a transmission shop located at 752 N. Commercial with the conditions that all cars to be parked on the hard surface, the property is to be kept neat and clean, no cars to park outside overnight, car repairs will be allowed in front of the property, and the conditional use permit will expire in two years. Council Member Abrego seconded the motion and the motion carried unanimously.

ITEM 7. PUBLIC HEARING ON REQUEST OF C. W. SALES FOR A CONDITIONAL USE PERMIT FOR A SMALL AUTO SALES BUSINESS AT 811-B S. COMMERCIAL, LOTS 1-5, BLOCK 555. PROPERTY IS ZONED GB (GENERAL BUSINESS).

City Attorney Allen Lawrence declared the Public Hearing open at 7:55p.m. on the request of C. W. Sales for a Conditional Use Permit for a small auto sales business at 811-B S. Commercial. He stated the Planning and Zoning Commission had made certain recommendations to the Council and all proper notices had been given. He asked if there was anyone present to speak for the request.

Josh Canal stated he and his wife, Katie wanted to sell a few vehicles at their business, Soggy Bottom Off Road and Truck Accessories. He stated they wanted to earn enough money to add onto their business. He stated there would be a maximum number of five vehicles on the lot at one time. He stated they were buying CW Sales from Ken Whitmire and would come back before the Council to request a permit in their name.

Council Member Abrego asked was there any problem with their neighbor with the limited space?

Mrs. Canal stated no, the business next door was owned by friends and they had shared property space with each other.

Council Member Mayer asked that the condition to keep the location neat and clean be added to the conditions for the permit.

The City Attorney asked if there was anyone present to speak against the request. Seeing no one, the City Attorney closed the Public Hearing at 8:00 p.m.

ITEM 8. CONSIDER AND ACT ON REQUEST OF C. W. SALES FOR A CONDITIONAL USE PERMIT FOR A SMALL AUTO SALES BUSINESS AT 811-B S. COMMERCIAL, LOTS 1-5, BLOCK 555. PROPERTY IS ZONED GB (GENERAL BUSINESS).

ITEM 9. CONSIDER AND ACT ON APPROVING THE PURCHASE OF A TRUCK FOR PUBLIC WORKS.

Mayor Knight recused himself from this item because he works for one of the bidding companies.

After discussion, Council Member Mayer made the motion to accept the lowest bid which was from Commercial Motors. Council Member Abrego seconded the motion and the motion carried with Mayor Pro Tempore Attaway, Council Members Hametner, Abrego and Mayer voting yes and Mayor Knight not voting.

ITEM 10. DISCUSSION REGARDING HABITAT FOR HUMANITY.

The City Manager stated he had not spoken to his contact in Taft, but had put together a list of properties the City owns that would fit the Habitat for Humanity program. He suggested a property at the corner of Ireland and 10th Street be the first property to be used for a Habitat for Humanity project. He stated the property had good drainage and trees.

ITEM 11. **REPORTS FROM CITY MANAGER AND STAFF AND PUBLIC COMMENTS:** *At this time the Mayor, City Council, Staff and Public comments may be given. Reports or updates on any assignments which include but are not limited to grants, building and development, budgets, financial reports and any other projects may be given. No formal action can be taken on any of these items at this time. Comments will be limited to 3 minutes each.*

The City Manager stated James McCoy, the City's Librarian, had been with the City for 35 years today.

Rose Mary Vega with the Aransas Pass Chamber of Commerce thanked the City departments that assisted the Chamber with the Holiday on the Harbor festival. She reported the festival was a great success.

ITEM 12. RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.

Recessed into Executive Session at 8:09 p.m.

A. Section 551.072 Deliberations regarding Real Property-JBS lease.

ITEM 13. RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.

Reconvened into Open Session at 8:50 p.m.

A. Section 551.072 Deliberations regarding Real Property-JBS lease.

Mayor Knight stated no action would be taken.

ITEM 14. ADJOURNMENT OF MEETING.

Mayor Pro Tempore Attaway made the motion to adjourn the meeting. Council Member Hametner seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:51 p.m.

Tommy Knight, Mayor

ATTEST:

Ada Owens, City Secretary